



State of Nebraska

NEBRASKA EQUAL OPPORTUNITY COMMISSION

NEBRASKA EQUAL OPPORTUNITY COMMISSION MEETING OF NOVEMBER 16, 2012

Commissioner Yates called the meeting to order in Omaha, Nebraska at 9:04 a.m. on November 16, 2012. It was established after a roll call that there was a quorum.

I. ROLL CALL

Commissioners Present

Kristin Yates, Chairperson
Bette Trumble
Rita Griess

Royce Jeffries, Vice Chairperson
Janet Palmtag
Eric Drumheller

Staff Present

Barbara Albers, Executive Director
Paula Gardner, Unit Director
Shelley Foss, Investigator III

Gretchen Eure, Unit Director
Cat Souliere, Staff Assistant

II. AFFIDAVIT OF PUBLICATION

The Affidavit of Service from the Lincoln Journal Star was read to show that the public was made aware of the November 16, 2012 Commission meeting.

III. APPROVAL OF MINUTES

Commissioner Jeffries moved to approve the October 19, 2012 Commission meeting minutes.

Commissioner Trumble seconded the motion.

ROLL CALL: Ayes: Yates, Jeffries, Trumble, Drumheller
 Nays:
 Abstained: Griess, Palmtag
 Motion Carried

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IV. ADDITIONS OR CORRECTIONS

Under Section VIII. SUCCESSFUL AGREEMENTS, please add NEB 2-12/13-8-2748-H and NEB 1-12/13-8-2741-H.

Under Section IX. ADMINISTRATIVE ACTIONS, please add B. FAILURE TO COOPERATE, NEB 1-12/13-8-2744-H.

Under Section X. CONCILIATION, please add NEB 3-10/11-3-42124.

V. PUBLIC INPUT (Non Case)

Limit of 5 minutes per person for a total of a 30 minute session.

None at this meeting.

Commissioner Yates asked Commissioner Palmtag to tell the Commission a little about herself.

VI. INTRODUCTION TO PUBLIC INPUT (Agenda Cases)

The cases wherein a party to the case was present were moved to the front of the agenda under Section VII. CASE DISPOSITIONS.

VII. CASE DISPOSITIONS

NEB 1-11/12-1-43042 (Respondent was present.)

Commissioner Griess moved for no reasonable cause.

Commissioner Drumheller seconded the motion.

ROLL CALL: Ayes: Griess, Palmtag, Yates, Jeffries, Trumble, Drumheller
 Nayes:
 Abstained:
 Motion Carried

NEB 1-11/12-6-43210 (Complainant and Respondent were present.)

Commissioner Trumble moved for no reasonable cause.

Commissioner Jeffries seconded the motion.

ROLL CALL: Ayes: Griess, Palmtag, Yates, Jeffries, Trumble, Drumheller
 Nayes:
 Abstained:
 Motion Carried

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NEB 2-11/12-1-42851 (Complainant was present.)

Commissioner Yates moved for no reasonable cause.

Commissioner Jeffries seconded the motion.

ROLL CALL: Ayes: Griess, Palmtag, Yates, Jeffries, Trumble, Drumheller
 Nayes:
 Abstained:
 Motion Carried

NEB 2-11/12-4-42898 (Respondent was present.)

Commissioner Trumble moved for no reasonable cause.

Commissioner Drumheller seconded the motion.

ROLL CALL: Ayes: Griess, Palmtag, Yates, Jeffries, Trumble, Drumheller
 Nayes:
 Abstained:
 Motion Carried

NEB 2-11/12-5-2712-PA (Complainant was present.)

Commissioner Yates moved for no reasonable cause.

Commissioner Griess seconded the motion.

ROLL CALL: Ayes: Griess, Palmtag, Yates, Jeffries, Trumble, Drumheller
 Nayes:
 Abstained:
 Motion Carried

NEB 2-11/12-5-2713-PA (Complainant was present.)

Commissioner Yates moved for no reasonable cause.

Commissioner Griess seconded the motion.

ROLL CALL: Ayes: Griess, Palmtag, Yates, Jeffries, Trumble, Drumheller
 Nayes:
 Abstained:
 Motion Carried

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NEB 2-11/12-7-42332 (Complainant was present.)

Commissioner Trumble moved for no reasonable cause.

Commissioner Yates seconded the motion.

ROLL CALL: Ayes: Griess, Palmtag, Yates, Jeffries, Trumble, Drumheller
 Nayes:
 Abstained:
 Motion Carried

NEB 2-11/12-2-42875 (Complainant was present.)

Commissioner Jeffries moved for no reasonable cause.

Commissioner Trumble seconded the motion.

ROLL CALL: Ayes: Griess, Palmtag, Yates, Jeffries, Trumble, Drumheller
 Nayes:
 Abstained:
 Motion Carried

NEB 1-10/11-5-42249 (Complainant was present.)

Commissioner Trumble moved for no reasonable cause.

Commissioner Yates seconded the motion.

ROLL CALL: Ayes: Griess, Palmtag, Yates, Jeffries, Trumble, Drumheller
 Nayes:
 Abstained:
 Motion Carried

NEB 1-11/12-5-43173 (Respondent was present.)

Commissioner Jeffries moved for no reasonable cause.

Commissioner Yates seconded the motion.

ROLL CALL: Ayes: Griess, Palmtag, Yates, Jeffries, Trumble, Drumheller
 Nayes:
 Abstained:
 Motion Carried

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NEB 2-11/12-3-42889 (Complainant was present.)

Commissioner Yates moved for no reasonable cause.

Commissioner Jeffries seconded the motion.

ROLL CALL: Ayes: Griess, Palmtag, Yates, Jeffries, Trumble, Drumheller
 Naves:
 Abstained:
 Motion Carried

NEB 2-11/12-3-42890 (Complainant was present.)

Commissioner Jeffries moved for no reasonable cause.

Commissioner Yates seconded the motion.

ROLL CALL: Ayes: Griess, Palmtag, Yates, Jeffries, Trumble, Drumheller
 Naves:
 Abstained:
 Motion Carried

NEB 2-11/12-4-42912 (Complainant was present.)

Commissioner Trumble moved for no reasonable cause.

Commissioner Yates seconded the motion.

ROLL CALL: Ayes: Griess, Palmtag, Yates, Jeffries, Trumble, Drumheller
 Naves:
 Abstained:
 Motion Carried

NEB 2-11/12-4-42911 (Complainant was present.)

Commissioner Yates moved for no reasonable cause.

Commissioner Jeffries seconded the motion.

ROLL CALL: Ayes: Griess, Palmtag, Yates, Jeffries, Trumble, Drumheller
 Naves:
 Abstained:
 Motion Carried

The Commission took a short break.

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NEB 1-11/12-4-43155

Commissioner Trumble moved for no reasonable cause.

Commissioner Drumheller seconded the motion.

ROLL CALL: Ayes: Griess, Palmtag, Jeffries, Trumble, Drumheller
 Nayes:
 Abstained: Yates
 Motion Carried

NEB 1-11/12-1-43048

NEB 1-11/12-1-2688-PA

NEB 2-11/12-12-42487

NEB 2-11/12-6-2732-H

NEB 1-11/12-8-2646-H

NEB 1-11/12-9-42696

NEB 1-11/12-4-43149

NEB 2-12/13-9-2746-PA

Commissioner Yates moved for no reasonable cause on the above cases.

Commissioner Griess seconded the motion.

ROLL CALL: Ayes: Griess, Palmtag, Yates, Jeffries, Trumble, Drumheller
 Nayes:
 Abstained:
 Motion Carried

VIII. SUCCESSFUL AGREEMENTS

NEB 2-12/13-7-2738-H

NEB 2-12/13-8-2748-H

NEB 1-12/13-8-2741-H

Commissioner Yates moved to adopt the agreements.

Commissioner Jeffries seconded the motion.

ROLL CALL: Ayes: Griess, Palmtag, Yates, Jeffries, Trumble, Drumheller
 Nayes:
 Abstained:
 Motion Carried

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IX. ADMINISTRATIVE ACTIONS

A. EEOC

NEB 1-11/12-11-42772

NEB 1-11/12-12-43008

NEB 1-12/13-8-43301

Commissioner Yates moved to adopt the findings of the EEOC.

Commissioner Jeffries seconded the motion.

ROLL CALL: Ayes: Griess, Palmtag, Yates, Jeffries, Trumble, Drumheller
 Naves:
 Abstained:
 Motion Carried

B. FAILURE TO COOPERATE

NEB 1-12/13-8-2744-H

Commissioner Yates moved to administratively close the above cases based on the Complainant's failure to cooperate.

Commissioner Griess seconded the motion.

ROLL CALL: Ayes: Griess, Palmtag, Yates, Jeffries, Trumble, Drumheller
 Naves:
 Abstained:
 Motion Carried

X. CONCILIATION

NEB 3-10/11-3-42124

Commissioner Yates moved to adopt the recommendations of the Director of Conciliations.

Commissioner Griess seconded the motion.

ROLL CALL: Ayes: Griess, Palmtag, Yates, Jeffries, Trumble, Drumheller
 Naves:
 Abstained:
 Motion Carried

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XI. CONCILIATION CASES TO BE CONSIDERED FOR PUBLIC HEARING

None at this time.

XII. PUBLIC HEARING

None at this time.

XIII. CIVIL ACTION

None at this time.

XIV. BUSINESS

1. Letter from Fair Housing

Director Albers indicated that a letter was received from the Fair Housing Center regarding testing cases. Mr. Joe Garcia from the Center was present. He indicated that the Center has done testing and would like the Commission to consider initiating complaints based on the tests.

Commissioner Jeffries said he was concerned that testing may be more about filing charges than ending discrimination.

Mr. Gary Fischer, also of the Fair Housing Center, also spoke to encourage the Commission to initiate complaints based on the Center's testing.

Commissioner Griess left the meeting at 12:00 p.m.

Several Commissioners noted that they wished that Commissioner Griess and Commissioner Nesbitt were present.

Commissioner Jeffries moved to table this discussion in relation to accepting testing cases from outside agencies and address a decision next month in relation to how we wish to structure the method in which we will deal with it.

Commissioner Trumble seconded the motion.

ROLL CALL: Ayes: Palmtag, Yates, Jeffries, Trumble, Drumheller
 Naves:
 Abstained:
 Motion Carried

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2. Budget

Director Albers told the Commission that she attended a meeting regarding budget issues. She indicated that the projection is that the State will have another large budget shortfall.

3. Meeting Dates and Locations for 2013

The Commission determined the following dates and locations for the year 2013.

Jan 18 - Omaha
Feb 15 - Lincoln
March 15 - Omaha
April 19 - Lincoln
May 17 - Omaha
June 21 - Lincoln
July 19 - Omaha
August 16 - Lincoln
September 20 - Omaha
October 18 - Lincoln
November 15 - Omaha
December 20 - Lincoln

4. Election of Officers for 2012 to take effect at the January Meeting

The Commission decided to discuss this at the December meeting.

5. Review of Previous Month's Budget Report

Commissioner Yates moved to approve and accept the previous month's budget reports. Commissioner Drumheller seconded the motion.

ROLL CALL: Ayes: Palmtag, Yates, Jeffries, Trumble, Drumheller
 Nays:
 Abstained:
 Motion Carried

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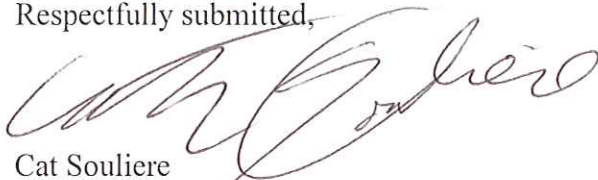
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XV. ADJOURNMENT

Commissioner Yates moved to adjourn the November 16, 2012 Commission meeting at 12:04 p.m.
Commissioner Drumheller seconded the motion.

ROLL CALL: Ayes: Palmtag, Yates, Jeffries, Trumble, Drumheller
 Nays:
 Abstained:
 Motion Carried

Respectfully submitted,



Cat Souliere
Staff Assistant

November 16, 2012

Date



Barbara Albers
Executive Director

November 20, 2012
Date

The Minutes of the Nebraska Equal Opportunity Commission meeting of November 16, 2012 have been corrected and accepted, and henceforth approved on this date.



Kristin Yates, Chairperson

DEC 14 2012

Date